

Item No.: 08

Date: 08 2025 APR



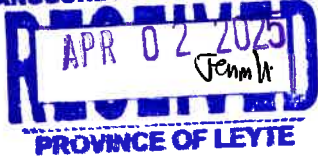
Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 3-27-25

SANGGUNIANG PANLALAWIGAN



2nd INDORSEMENT
February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 28, series of 2024 of the Sangguniang Bayan of Pastrana, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 28, series of 2024 entitled: “An Ordinance on the integration of Brangay Clearance to the Business Permitting Process (IBPLS), etc.”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power, pursuant to RA 11032¹. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ *Ease of Doing Business Act*

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
13 February 2025

Province of Leyte
Legal Office
Received
Date: 2-13-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 28, series of 2024** of the **Municipality of Pastrana, Leyte**, entitled: **An Ordinance on the integration of Barangay Clearance to the Business Permitting Process (IBPLS).**


FLORINDA JILLS UYVICO
Secretary to the Sanggunian



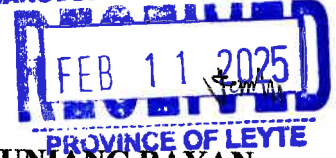
Republic of The Philippines
PROVINCE OF LEYTE
 Municipality of Pastrana



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SANGGUNIANG PANLALAWIGAN

The Sangguniang Bayan



MINUTES OF THE 88th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PASTRANA HELD LAST JUNE 10, 2024 AT THE SB SESSION HALL, PASTRANA, LEYTE.

CHITO C. CAYACO
 Municipal Vice-Mayor/
 Presiding Officer

RESOLUTION NO. 330-01

A RESOLUTION APPROVING THE THIRD AND FINAL READING OF “AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)”

MUNICIPAL ORDINANCE NO. 28
Series of 2024

Author: Hon. Nathan G. Letrodo

AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)

WHEREAS, there is a need to streamline/simplify the process of business registration in the Municipality of Pastrana to a friendlier atmosphere for taxpayers and investors;

WHEREAS, when regulation are simple and transparent entrepreneurs need not to suffer from red tape and time-consuming transactions;

WHEREAS, the **EODB ACT of 2018 or Republic Act 11032, otherwise known as “An Act Promoting Ease of Doing Business and Efficient Delivery of Government Service”**, was signed into law and seeks to make the process of putting up and running a business in the Philippines easier and more efficient;

WHEREAS, Section 11(f) of RA 11032 provides that “Barangay Clearances and Permits related to doing business shall be applied, issued and collected at the Local Government Unit of Pastrana, Leyte in accordance with the prescribed processing time of said Act. Provided, that the share in the collections shall be remitted to the respective barangays; and

WHEREAS, the Barangays in the Municipality of Pastrana, Leyte, should enact Barangay Ordinance to authorize the Municipality of Pastrana to issue barangay clearance and collect corresponding barangay clearance fee in the application for any business-related transactions subject to the remittance of the aforesaid fees to the barangay and the conditions hereunder.

On motion by Hon. Nathan G. Letrodo duly seconded by **Hon. Elvira A. Bohol**;

RESOLVED, as it is hereby Resolved, to enact “AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)”.

ELVIRA A. BOHOL
 Sangguniang Bayan Member

NATHAN G. LETRODO
 Sangguniang Bayan Member

LOIDA M. VILLABLANCA
 Sangguniang Bayan Member

JERLYN G. PORJA
 ABC President

FRANCIS C. ALVAREZ
 SK Federation President

RODEL M. TOBILLA
 Sangguniang Bayan Member

GERABAO S. CARIAN
 Sangguniang Bayan Member

ANGELINA C. DIOLA
 Sangguniang Bayan Member

FEDERICO M. TAN
 Sangguniang Bayan Member

ALLEN N. OPIRANO JR.
 Sangguniang Bayan Member

MUNICIPAL ORDINANCE NO. 28
Series of 2024

Author: Hon. Nathan G. Letrodo

AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)

SECTION 1. COVERAGE.

- This policy applies only to the issuance of Barangay Clearance for business permit and locational clearance (as a requirement for the issuance of building permit) at Pastrana, Leyte. Other clearances for other purposes shall still be obtained at the Barangay.

This Circular that covers all City and Municipal Mayors, Punong Barangays, Concerned Local Officials, DILG Regional Directors and BARMM Minister of Local Government and all others concerned.

SECTION 2. DEFINITION OF TERMS. The words and phrases used in the ordinance are hereby defined as follows:

❖ **BARANGAY CLEARANCE**

- Refers to any and all documents issued by the Barangays' with or without corresponding fees as defined in their ordinances relative to or in relation to the issuance of business permit and locational/zoning clearance by the municipality or any other permit as may be required. (IRR OF RA 11032).

❖ **BARANGAY CLEARANCE FEES**

- is an amount imposed by the barangays through an ordinance and collected by the municipality in relation to the issuance of business permit and locational clearance by the municipality.

❖ **BUSINESS PERMIT**

- Is a document that must be secured from the city or municipal government, usually through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality. (IRR of RA 11032).

❖ **LOCATIONAL CLEARANCE**

- Is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance of a particular City/Municipality. It is a requirement for the issuance of Building Permit. (House and Land Use Regulatory Board-Comprehensive Land Use Plan Guidebook).

SECTION 3. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE OF BUSINESS-RELATED TRANSACTIONS- The Municipality of Pastrana

is given the authority to collect Barangay Clearance Fee subject to the remittance to the subject Barangay.

CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer

RONALD M. TOBILLA
Sangguniang Bayan Member

GERARDO S. CARIAN
Sangguniang Bayan Member

ANGELINA C. DIOLA
Sangguniang Bayan Member

FEDERICO M. TAN
Sangguniang Bayan Member

ALVIN N. OPINIANO JR.
Sangguniang Bayan Member

ELVIRA A. BOHOL
Sangguniang Bayan Member

NATHAN G. LETRODO
Sangguniang Bayan Member

LOIDA H. VILLALANCA
Sangguniang Bayan Member

JERLYNE C. PORJA
ABC President

FRANCIS CHARLES T. ALVAREZ
SK Federation President

SECTION 4. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED- The rate of Barangay Clearance Fee to be collected by the Municipality for the issuance clearance is Php 100.00.

SECTION 5. BARANGAY CLEARANCE SIGNATORY- Electronic Signature of Punong Barangay concern shall appear in all barangay clearance issued, thus, all Punong Barangay shall submit to the BPLO his/her electronic signature for the purpose of affixing in the Barangay Business Clearance.

SECTION 6. REPORTING AND REMITTANCE- The Municipality shall remit the Barangay Clearance Fee collected to the concerned Barangay not later than seven (7) working days of the ensuing month with the list of the issued Building and Business Permit.

SECTION 7. SEPARABILITY CLAUSE. If for any reason, a part of this Ordinance is declared illegal or invalid, other parts/provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 8. REPEALING CLAUSE- All previous Ordinance and rules/regulations which are inconsistent with the provisions of this ordinance are hereby deemed, modified or repealed accordingly.

SECTION 9. EFFECTIVITY CLAUSE- This Ordinance shall take effect fifteen (15) days after its publication.

BE IT ORDAINED by the Sangguniang Bayan of Pastrana, Leyte in session assembled that:

APPROVED UNANIMOUSLY

*I HEREBY CERTIFY to the correctness
of the foregoing Ordinance*

VERNADITH L. NIEGOS-DIZON, LPT
Local Legislative Staff Officer II/
Sangguniang Bayan Secretary- Designate

ELVINA A. BOHOL
Sangguniang Bayan Member

NATHAN G. ESTRODO
Sangguniang Bayan Member

LOIDA M. VILLALANCA
Sangguniang Bayan Member

JERLYN C. FORJA
ABC President

FRANCIS CHARLES T. ALVAREZ
SK Federation President

CHITO C. CAYACO
Municipal Vice-Mayor/
Presiding Officer

RODEL M. OBILLA
Sangguniang Bayan Member

GERARDO S. CARIAN
Sangguniang Bayan Member

ANGELINA C. DOLA
Sangguniang Bayan Member

FEDERICO M. TAN
Sangguniang Bayan Member

ALVIN N. OPINIANO JR.
Sangguniang Bayan Member


Attested by:


CHITO C. CAYACO
*Municipal Vice-Mayor/
Presiding Officer*

Concurred by:


RODEL M. TOBILLA
Sangguniang Bayan Member


GERARDO S. CARIAN
Sangguniang Bayan Member


ANGELINA C. DIOLA
Sangguniang Bayan Member


FEDERICO M. TAN
Sangguniang Bayan Member


ALVIN N. OPINIANO JR.
Sangguniang Bayan Member


ELVIRA A. BOHOL
Sangguniang Bayan Member



NATHAN G. LETRODO
Sangguniang Bayan Member


LOIDA B. VILLABLANCA
Sangguniang Bayan Member


JERLYN C. BORJA
ABC President


FRANCIS CHARLES T. ALVAREZ
SK Federation President

Approved by:


HON. MARITESS B. CAYACO-MARCOS, RN.
Municipal Mayor



Republic of The Philippines
PROVINCE OF LEYTE
Municipality of Pastrana



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The Sangguniang Bayan

C E R T I F I C A T I O N

THIS IS TO CERTIFY, that we have posted in several conspicuous places with the entire jurisdiction of the Municipality of Pastrana, Province of Leyte, the invitation for **COMMITTEE MEETING** in an **AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)** (as per attached invitation) Posted JUNE 3, 2024

Posted COMMITTEE MEETING

JUNE 3, 2024

Certified True and Correct,



VERNADITH N. DIZON

Sangguniang Bayan Secretary -
Designate

Issued on: July 02, 2024
Issued at: Pastrana, Leyte



Republic of The Philippines
PROVINCE OF LEYTE
Municipality of Pastrana



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The Sangguniang Bayan

COMMITTEE MEETING REGARDING THE PROPOSED MUNICIPAL ORDINANCE; AN ORDINANCE
ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR
ANY BUSINESS RELATED TRANSACTIONS

Record of Attendance

COMMITTEE MEETING
JUNE 03, 2024

No.	Name	Time-In	Signature
1	HON. LOIDA B. VILLABLANCA	10:00	
2	HON. ANGELINA C. DIOLA	10:00	
3	HON. ELVIRA A. BOHOL	10:00	
4	HON. FEDERICO M. TAN	10:00	
5	HON. NATHAN G. LETRODO	10:00	



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MINUTES OF THE COMMITTEE MEETING ON THE PROPOSED ORDINANCE “AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)” CONDUCTED BY THE COMMITTEE ON FINANCE AND APPROPRIATION LAST JUNE 3, 2024 AT THE SANGGUNIAN BAYAN SESSION HALL

PRESENT:

- Hon. NATHAN G. LETRODO - SB Member & Chairman, Committee on Finance and Appropriation
- Hon. LOIDA B. VILLABLANCA - SB Member & Vice- Chairman, Committee on Finance and Appropriation
- Hon. ELVIRA A. BOHOL - SB Member & Member, Committee on Finance and Appropriation
- Hon. ANGELINA C. DIOLA - SB Member & Member, Committee on Finance and Appropriation
- Hon. FEDERICO M. TAN - SB Member & Member, Committee on Finance and Appropriation

DELIBERATION

The Presiding Officer Hon. Nathan G. Letrodo called the committee meeting at exactly 10:15 in the morning. Prayer was done through an overture. The Presiding Officer requested the Sangguniang Bayan Secretary- Designate to have the roll call. She declared the presence of a quorum.

The Presiding Officer presented the agenda which is the proposed ordinance **AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)**. The Presiding Officer then requested the SB Secretary - Designate to read the draft ordinance for the committee to give their comments and suggestions after.

Hon. Federico M. Tan suggested to have the documents be checked from page to page while doing the committee hearing.

Hon. Nathan G. Letrodo expressed that as the Committee Chairman of Finance and Appropriation hopefully next year this ordinance will be funded for the proposed incentives.

The Presiding Officer told the Body that since there is no fine or penalties public hearing is no longer needed.

Hon. Loida B. Villablanca suggested that suggestions and comments are being solicited for additional information. He also added that whatever they want to correct or change now is the right avenue for it, to be sure that all were given considerations.


The Presiding Officer said that this has been discussed by a representative from the Treasury Office and everything has been properly consulted with the concerned offices and persons.

Hon. Angelina C. Diola raised her hand to be recognized and moved for the approval of the proposed ordinance **“AN ORDINANCE ON THE INTEGRATION OF BARANGAY CLEARANCE TO THE BUSINESS PERMITTING PROCESS (IBPLS)”** since there were no corrections and suggestions and was unanimously seconded by all the members of the committee.

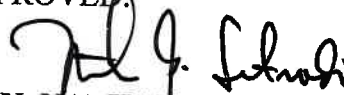
Hon. Federico M. Tan raised his hand to be recognized and since there were no other matters to be discussed, she moved to adjourn the committee meeting and was duly seconded unanimously by all the members of the committee at exactly 11:34am.

Then closing prayer was led by Hon. Loida B. Villablanca.


CERTIFIED TRUE AND CORRECT:

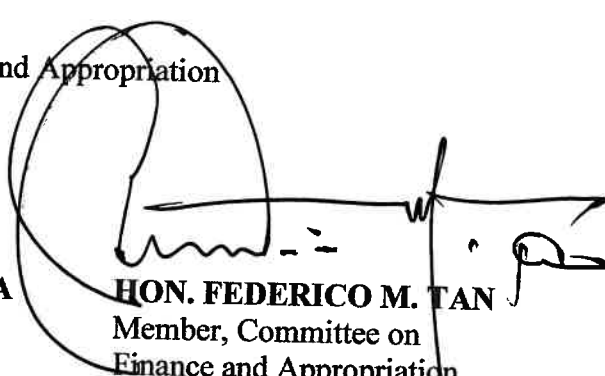

VERNADITH N. DIZON
Local Legislative Staff Officer II/
Sangguniang Bayan Secretary- Designate


APPROVED:

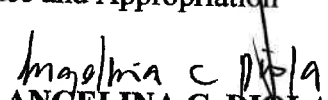

HON. NATHAN G. LETRODO
Presiding Officer/
Chairman, Committee on Finance and Appropriation

WITH CONCURRENCE:


HON. LOIDA B. VILLABLANCA
Vice-Chairman, Committee on
Finance and Appropriation


HON. FEDERICO M. TAN
Member, Committee on
Finance and Appropriation


HON. ELVIRA A. BOHOL
Member, Committee on
Finance and Appropriation


HON. ANGELINA C. DIOLA
Member, Committee on
Finance and Appropriation